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PEARL COHEN ZEDEK LATZER

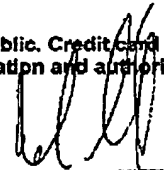
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PTO/SB/31 (08-00)  
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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> P-4739-US
In re Application of MOUTSATSOS, Ioannis Et al.		
Application Number 09/148,234		Filed September 4, 1998
For GENETICALLY ENGINEERED CELLS WHICH EXPRESS BONE MORPHOGENIC PROTEINS		
Group Art Unit 1638	Examiner	RIGGINS, PATRICK S
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated, April 4, 2006, rejecting the following claims: 24-28		
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ 500
<input type="checkbox"/> Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$
<input type="checkbox"/> A check in the amount of the fee is enclosed.		
<input type="checkbox"/> Payment is by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3355. I have enclosed a duplicate copy of this sheet.		
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>		
I am the <input type="checkbox"/> applicant. <input type="checkbox"/> assignee of record of the entire interest. <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a).		Signature  Mark S. Cohen Reg. No. 42,425 Typed or printed name
Pearl Cohen Zedek Latzer, LLP 1500 Broadway, 12th Floor New York, New York 10036 Tel: (646) 878-0800 Fax: (646) 878-0801		October 4, 2006 Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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